IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	IITED STATES OF AMERICA	0.0000405
	Plaintiff,) 8:08CR105)
	vs.) DETENTION ORDER
CA	ATHERINE THOMAS,	<i>)</i>
	Defendant.	,
A.	Order For Detention After conducting a detention hearing pursuant Act on March 28, 2008, the Court orders pursuant to 18 U.S.C. § 3142(e) and (i).	nt to 18 U.S.C. § 3142(f) of the Bail Reform s the above-named defendant detained
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 	
C.	I) in violation of 21 U.S.C. years imprisonment and possession of pseudoe methamphetamine (Coun years imprisonment. (b) The offense is a crime of (c) The offense involves a national control of the con	nd includes the following: e offense charged: o manufacture methamphetamine (Count § 846 carries a minimum sentence of ten a maximum of life imprisonment; the ephedrine with intent to manufacture t II) carries a maximum sentence of twenty violence.
	may affect wheth The defendant hat X The defendant hat X The defendant hat The defendant of ties. Past conduct of to X The defendant hat Court proceeding	ppears to have a mental condition which her the defendant will appear. as no family ties in the area. In have no steady employment, as no substantial financial resources. In not a long time resident of the community. Hoes not have any significant community whe defendant: It as a history relating to drug abuse. It as a history relating to alcohol abuse. It as a significant prior criminal record. In as a prior record of failure to appear at s.
	court proceeding (b) At the time of the current	

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(c) Other	Probation Parole Release pending trial, sentence, appeal or completion of sentence. Factors: The defendant is an illegal alien and is subject to deportation. The defendant is a legal alien and will be subject to deportation if convicted. The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other:
X (4) The nature and seriousness of the danger posed by the defendant's release are as follows: The defendant's history of drug abuse.	
on the follow which the Co X (a) That assur of any the co X X	ing that the defendant should be detained, the Court also relied ing rebuttable presumption(s) contained in 18 U.S.C. § 3142(e) ourt finds the defendant has not rebutted: no condition or combination of conditions will reasonably the the appearance of the defendant as required and the safety other person and the community because the Court finds that rime involves: (1) A crime of violence; or (2) An offense for which the maximum penalty is life imprisonment or death; or (3) A controlled substance violation which has a maximum penalty of 10 years or more; or (4) A felony after the defendant had been convicted of two or more prior offenses described in (1) through (3) above, and the defendant has a prior conviction for one of the crimes mentioned in (1) through (3) above which is less than five years old and which was committed while the defendant was on pretrial release.
assur of the	no condition or combination of conditions will reasonably to the appearance of the defendant as required and the safety community because the Court finds that there is probable to believe: (1) That the defendant has committed a controlled substance violation which has a maximum penalty of 10 years or more. (2) That the defendant has committed an offense under 18 U.S.C. § 924(c) (uses or carries a firearm during and in relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device).

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and

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- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

4. Pretrial services will obtain a substance abuse evaluation of the defendant and provide a copy of such evaluation to the court and counsel.

DATED: March 31, 2008. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge